

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JEREMY P. STENDER, D.C.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:

0004452

Division of Legal Services and Compliance Case No. 14 CHI 014

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Jeremy P. Stender, D.C.
824 South Hastings Way
Eau Claire, WI 54701-3426

Wisconsin Chiropractic Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Chiropractic Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jeremy P. Stender, D.C., (dob March 17, 1970) is licensed to practice chiropractic in the State of Wisconsin, having license number 3733-12, first issued on December 21, 2000 and current through December 14, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 824 South Hastings Way, Eau Claire, Wisconsin 54701-3426.

2. At all times relevant to this proceeding, Respondent was employed as a chiropractor at a clinic, located in Eau Claire, Wisconsin.

3. In 2012, a detective of the Eau Claire Police Department investigated a complaint that Respondent had sexually assaulted a female patient during a chiropractic treatment appointment.

4. In the course of that investigation, three other women informed the Eau Claire Police Department that they had engaged in consensual sexual activity with Respondent during periods that they were seeing him for chiropractic care.

5. Respondent neither admits nor denies the information provided to the Eau Claire Police Department by the several former patients, but he does not contest that there is substantial evidence from which the Chiropractic Examining Board could reasonably conclude that he engaged in prohibited sexual conduct with patients.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 446.03, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Jeremy P. Stender, D.C., engaged in unprofessional conduct as defined by Wis. Admin. Code § Chir 6.02(1), by engaging in any practice which constitutes a substantial danger to the health, welfare or safety of a patient or the public.

3. By the conduct described in the Findings of Fact, Jeremy P. Stender, D.C., engaged in unprofessional conduct as defined by Wis. Admin. Code § Chir 6.02(7), by engaging in sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient.

4. As a result of the above violations, Jeremy P. Stender, D.C., is subject to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

1. The attached Stipulation is accepted.

2. The license previously issued to Jeremy Stender, D.C. to practice chiropractic (license no. 3733-12) in the state of Wisconsin hereby REVOKED effective January 31, 2016.

3. In the event Respondent petitions the Board for reinstatement in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. Within 90 days of this Order, Respondent shall pay costs in the amount of \$650.00.

5. Respondent shall immediately return all indicia of Wisconsin licensure to the Department Monitor at the address below.

6. Payment of costs (made payable to the Department of Safety and Professional Services) shall be sent to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

7. This Order is effective on the date of its signing, except as provided in Paragraph 2 of this Order.

WISCONSIN CHIROPRACTIC EXAMINING BOARD

by: Patricia Schumacher DE
A Member of the Board

12/22/2015
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JEREMY P. STENDER, D.C.,
RESPONDENT.

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:
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STIPULATION

0004452

Division of Legal Services and Compliance Case No. 14 CHI 014

Respondent Jeremy P. Stender, D.C., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney G. Richard White.


4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Chiropractic Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

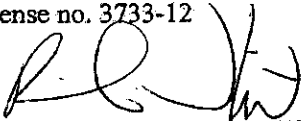
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



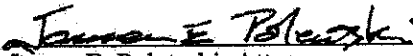
Jeremy P. Stender, D.C., Respondent
824 South Hastings Way
Eau Claire, WI 54701-3426
License no. 3733-12

10-22-15
Date



G. Richard White, Attorney for Respondent
Weld, Riley, Prenn & Ricci, S.C.
3624 Oakwood Hills Parkway
Eau Claire, WI 54701

10/22/15
Date



James E. Polewski, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

Oct 9, 2015
Date